

REMARKS

Applicants have studied the Office Action dated July 16, 2007 and have made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 2-4, 6, 8-10, and 12 are pending. Claims 1, 5, 7, 11, and 13-21 have been canceled without prejudice. Claims 2-4, 6, 8-10, and 12 have been amended. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested.

Claims 1-5, 7-11, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pithawala et al. (U.S. Patent No. 6,747,957) in view of Garakani et al. (U.S. Patent No. 6,578,087). Claims 1, 5, 7, 11, 19, and 20 have been canceled so, with respect to these claims, this rejection is moot. With respect to claims 2-4 and 8-10, this rejection is respectfully traversed.

Claims 2-4 have been amended to depend from claim 6, which has been indicated as being allowable if rewritten in independent form. Claim 6 has been rewritten in independent form. Additionally, claims 8-10 have been amended to depend from claim 12, which has been indicated as being allowable if rewritten in independent form. Claim 12 has been rewritten in independent form. Therefore, it is respectfully submitted that the rejection of claims 2-4 and 8-10 under 35 U.S.C. § 103(a) should be withdrawn.

Applicants thank the Examiner for indicating that claims 6 and 12 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Claims 6 and 12 have been rewritten in independent form. Accordingly, it is respectfully submitted that claims 6 and 12 are in condition for allowance.

Although Applicants respectfully disagree with the Examiner's rejection of independent claims 1, 7, and 19, Applicants have elected to cancel claims 1, 5, 7, 11, and 13-21 solely for the

purpose of expediting the patent application process in a manner consistent with USPTO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000). The pending claims as now presented contain only their limitations as originally filed. Therefore, the amendments made herein do not narrow the scope of the pending claims within the meaning of Festo.¹

While claims 1, 5, 7, 11, and 13-21 have been canceled from further consideration in this application, Applicants are not conceding in this application that those claims are not patentable over the cited references. The claim amendments and cancellations made herein are only for facilitating expeditious prosecution of the allowable subject matter indicated by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications.

In view of the foregoing, it is respectfully submitted that the application and the claims are in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (561) 989-9811 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

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¹ Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., No. 00-1543 (122 S. Ct. 1831; 2002 U.S. LEXIS 3818; 62 U.S.P.Q.2D (BNA) 1705)(Decided May 28, 2002).

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